

United States Court of Appeals
Fifth Circuit

FILED

March 23, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-60474
Summary Calendar

KILOCHO MALUMALU AHMED,

Petitioner,

versus

JOHN ASHCROFT, U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A79 105 455

Before HIGGINBOTHAM, DAVIS and PRADO, Circuit Judges.

PER CURIAM:*

Kilocho Malumalu Ahmed petitions this court for review of the decision of the Board of Immigration Appeals (BIA) affirming the Immigration Judge's (IJ) order denying his application for asylum, withholding of removal, and withholding of removal under the provisions of the Convention Against Torture.

When, as here, the BIA summarily affirms without opinion and essentially adopts the IJ's decision, we review the IJ's decision. See Mikhael v. INS, 115 F.3d 299, 302 (5th Cir. 1997).

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 03-60474

-2-

Because Ahmed's brief does not address the IJ's findings on withholding of removal or withholding under the provisions of the Convention Against Torture, we do not review them. See Soadjede v. Ashcroft, 324 F.3d 830, 833 (5th Cir. 2003).

Ahmed argues that the IJ erred in determining that he did not have a well-founded fear of persecution based on his past membership in a now-defunct political party and his refusal to join the Congolese military. Based upon our review of the record, we conclude that the IJ's ultimate determination is supported by substantial evidence and is reasonable. See Ontunez-Tursios v. Ashcroft, 303 F.3d 341, 350 (5th Cir. 2002). Ahmed has not shown that the evidence compels a finding that he would face persecution on a protected ground. See Girma v. INS, 283 F.3d 664, 667, 669 (5th Cir. 2002); 8 U.S.C. § 1101(a)(42)(A) (a refugee is unwilling or unable to return because of persecution "on account of race, religion, nationality, membership in a particular social group, or political opinion").

The petition for review is DENIED.